

QUIN DENVIR, Bar #49374
Federal Defender
DENNIS S. WAKS, Bar #142581
Supervising Assistant Federal Defender
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Attorney for Defendant
DANIEL WALLACE SMITH

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	NO. CR.S. 04-0366-WBS
)	
Plaintiff,)	
)	STIPULATION AND ORDER RE
v.)	CONTINUANCE OF STATUS HEARING AND
)	FINDINGS OF EXCLUDABLE TIME
SHERYL DENISE DAVIS and DANIEL)	
WALLACE SMITH,)	DATE: October 19, 2005
)	TIME: 9:00 a.m.
Defendant.)	JUDGE: Hon. William B. Shubb
)	

DANIEL WALLACE SMITH, by and through his counsel, DENNIS S. WAKS, Supervising Assistant Federal Defender, defendant SHERYL DAVIS by and through her counsel, C. EMMETT MAHLE, and the United States Government, by and through its counsel, ROBIN R. TAYLOR, Assistant United States Attorney, hereby agree that the status conference set for September 7, 2005 be continued to October 19, 2005 at 9:00 a.m. This continuance is requested because the Federal Defenders Office was recently appointed to this case and has received over 1200 pages of discovery which will require additional time to review. The defendants in this case consent to this continuance.

Accordingly, all counsel, along with Mr. Smith and Ms. Davis agree that the time from September 7, 2005 through October 19, 2005

1 should be excluded in computing the time within which trial must
2 commence under the Speedy Trial Act, §3161(h)(8)(B)(iv) and Local Code
3 T4. [reasonable time to prepare].

4 DATED: August 31, 2005

5 Respectfully submitted,

6 QUIN DENVIR
7 Federal Defender

8 /S/ Dennis S. Waks

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10 DENNIS S. WAKS
11 Supervising Assistant Federal Defender
12 Attorney for Defendant
13 DANIEL WALLACE SMITH

11 DATED: August 31, 2005

12 /S/ Dennis S. Waks for

13 _____
14 EMMETT MAHLE, Esq.
15 Attorney for Defendant
16 SHERYL DAVIS

16 MCGREGOR SCOTT
17 United States Attorney

17 DATE: August 31, 2005

18 /S/ Dennis S. Waks for

19 _____
20 ROBIN R. TAYLOR
21 Assistant United States Attorney
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UNITED STATES OF AMERICA,)	NO. CR.S. 04-0366-WBS
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Plaintiff,)	
)	ORDER RE CONTINUANCE OF STATUS
v.)	HEARING AND FINDINGS OF
)	EXCLUDABLE TIME
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WALLACE SMITH,)	DATE: October 19, 2005
)	TIME: 9:00 a.m.
Defendant.)	JUDGE: Hon. William B. Shubb
)	

ORDER AND FINDINGS

The new status conference is set for October 19, 2005 at 9:00 a.m. The court finds that the interests of justice are best served and the public interest is protected by granting the continuance in the above-captioned matter. Accordingly, time under the Speedy Trial Act is excluded from September 7, 2005, through October 19, 2005, in computing the time within which trial must commence under the Speedy

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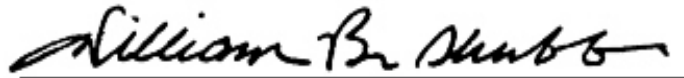
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1 Trial Act, pursuant to Title 18 U.S.C. § 3161(h)(8)(B)(iv) and Local
2 Code T4. (reasonable time to prepare.)

3 DATED: August 31, 2005

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6 WILLIAM B. SHUBB
7 UNITED STATES DISTRICT JUDGE
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